

JUDGE LEFKOW

MAGISTRATE JUDGE SCHENKIER

EDA

OIS 44 (Rev. 3/99)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

ILLINOIS CENTRAL RAILWAY COMPANY

DEFENDANTS

PARADE PACKAGING, INC., d/b/a PARADE PACKAGING MATERIALS CO., INC., a division of FORTUNE PLASTICS, INC., a Connecticut Corporation

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)
Richard Kates, Esq.
111 West Washington Street, Suite 1900
Chicago, IL 60602-2713
(312) 236-0267

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Cases Only)

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☐ 1 ☐ DEF 1 Incorporated or Principal Place of Business in This State ☐ 4 ☐ DEF 4
- Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal place of Business in Another State ☐ 5 ☐ 5
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Personal Injury	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 421 Appeal 21 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC	<input type="checkbox"/> 430 Banks and Banking	<input checked="" type="checkbox"/> 450 Commerce/ICC Rates/etc.
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employer's Liability	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 640 R.R. & Trucks	<input type="checkbox"/> 480 Copyrights	<input type="checkbox"/> 490 Selective Service
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 650 Airline Regs.	<input type="checkbox"/> 490 Patent	<input type="checkbox"/> 500 Securities/Commodities/Exchange
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 490 Trademark	<input type="checkbox"/> 510 Customer Challenge 12 USC 3410
<input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 670 Other	<input type="checkbox"/> 520 HIA (139ff)	<input type="checkbox"/> 520 Agricultural Act
<input type="checkbox"/> 160 Stockholder's Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 520 Black Lung (923)	<input type="checkbox"/> 520 Economic Stabilization Act
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 520 DIWC/DIWW (405(g))	<input type="checkbox"/> 520 Environmental Matters
<input type="checkbox"/> 195 Contract Property Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 520 SSID Title XVI	<input type="checkbox"/> 520 Energy Allocation Act
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 520 RSI (405(g))	<input type="checkbox"/> 520 Freedom of Information Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 750 Other Labor Litigation	<input type="checkbox"/> 520 FEDERAL TAX SUITS	<input type="checkbox"/> 520 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 410 Voting	<input type="checkbox"/> 760 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 520 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 520 Constitutionalality of State Statutes
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 770 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 520 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 520 Other Statutory Actions
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 443 Housing/Accommodations			
<input type="checkbox"/> 250 All Other Real Property	<input type="checkbox"/> 444 Welfare			
	<input type="checkbox"/> 440 Other Civil Rights			
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V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multi District Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.) 28 USCA 1337(a) and 49

USCA 10743(n) - This suit involves interstate freight charges.

VII. REQUESTED IN COMPLAINT

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ 13,450.00 USD

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY (See instructions)

JUDGE

DOCKET NUMBER

DATE June 25, 2007 SIGNATURE OF ATTORNEY OF RECORD

S. Richard M. Kates Richard Kates, Esq.

1013760

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